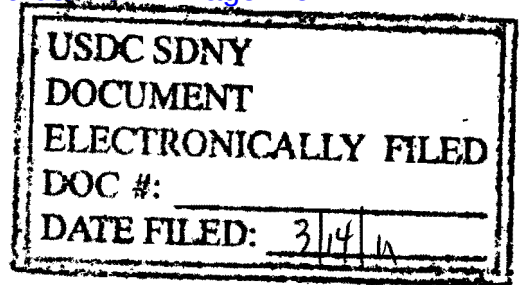


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



JAY GONZALEZ,

09 Civ. 5205 (SHS)

Plaintiff,

-against-

ORDER

C.O. PEACOCK, *ET AL.*,

Defendants.

SIDNEY H. STEIN, U.S. District Judge.

On January 13, 2010, Magistrate Judge Kevin N. Fox issued a Report and Recommendation recommending that this action be dismissed pursuant to Fed. R. Civ. P. 4(m) and 41(b) for failure to prosecute. To date, the Court has received no objections from plaintiff. After a *de novo* review of the Report and Recommendation dated January 13, 2010,

IT IS HEREBY ORDERED that:

1. Magistrate Judge Fox's Report & Recommendation is adopted; and
4. This action is dismissed pursuant to Fed. R. Civ. P. 4(m) and 41(b).

Dated: New York, New York  
January 10, 2011

SO ORDERED:

A handwritten signature in black ink, appearing to read "S. H. Stein".  
\_\_\_\_\_  
Sidney H. Stein, U.S.D.J.